



**UNITED STATES PATENT AND TRADEMARK OFFICE**

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OCT 08 2001

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/905,558	07/13/2001	Carl W. Garnaat	1016

27310  
PIONEER HI-BRED INTERNATIONAL INC.  
7100 N.W. 62ND AVENUE  
P.O. BOX 1000  
JOHNSTON, IA 50131

CONFIRMATION NO. 2761

**FORMALITIES LETTER**



\*OC000000006839041\*

**DOCKETED**  
OCT 09 2001

Date Mailed: 10/03/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b) COPY OF PAPERS  
ORIGINALLY FILED

Filing Date Granted \_\_\_\_\_

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).


For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

02/27/2002 NMOHAMM1 00000071 161852 09905558

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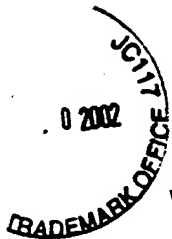
*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "M. A. R.", written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



#3

## CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231, ON OCTOBER 18, 2001

Walter L. Blair

AGENT/ATTORNEY FOR APPLICANT

October 18, 2001

DATE

Attorney Docket No. 1016

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Garnaat, et al.

Date: October 18, 2001

Serial No.: 09/905,558

Group Art Unit: Not known

Filed July 13, 2001

Examiner: Not known

For: "ZmAXIG1 Polynucleotides and Methods of Use"

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR §§1.821 THROUGH 1.825

- ☒ I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- ☐ I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages \_\_\_\_\_. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.

Serial No. 09/905,558

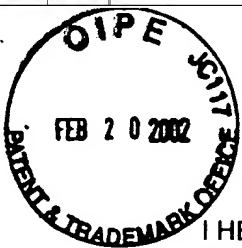
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), is identical to that originally filed.

Respectfully submitted,

*Debra L. Blair*

Debra L. Blair  
Attorney for Applicant(s)  
Registration No. 39,112

PIONEER HI-BRED INTERNATIONAL, INC.  
Corporate Intellectual Property  
7100 N.W. 62<sup>nd</sup> Avenue  
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*Secret*

CERTIFICATE OF MAILING

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*Debra L. Blair*

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*October 18, 2001*

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Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

COPY OF PAPERS  
ORIGINALLY FILED

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION  
FILING DATE GRANTED

This letter is in response to the "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" mailed on October 3, 2001 which indicated that the Declaration for the subject patent application is missing and the computer readable form of the Sequence Listing is not in compliance. A copy of "The Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" is enclosed.

Serial No. 09/905,558

Enclosed please find a Declaration and Power of Attorney for the subject patent application, which has been fully executed by the inventors of the subject patent application in compliance with 37 C.F.R. 1.63.

Please charge the \$130.00 surcharge for late filing of the fully executed declaration to Deposit Account No. 16-1852. Please charge any additional requisite fees for filing the enclosed Declaration and Power of Attorney or credit any overpayment to Deposit Account No. 16-1852. A duplicate copy of this form is enclosed.

Also enclosed is a Statement to Support Filing and Submission in Accordance With 37 CFR §§1.821 through 1.825, computer-readable and paper copy of the Sequence Listing for the above-mentioned case. Please note that applicant did not receive a copy of the marked-up "Raw Sequence Listing" as mentioned in the Notice to File Missing Parts.

Respectfully submitted,



Debra L. Blair  
Attorney for Applicant(s)  
Registration No. 39,112

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